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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/564,875

01/17/2006

Shigeo Yukawa

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02/23/2009

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EXAMINER

JOY, DAVID J

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

02/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/564,875	<b>Applicant(s)</b> YUKAWA, SHIGEO	
	<b>Examiner</b> David J. Joy	<b>Art Unit</b> 1794	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-26 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Election/Restrictions*

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1. The species are as follows:

a. the security sticker comprising a surface resin layer, a print layer, a self-destructive film layer, and a pressure-sensitive adhesive layer, wherein the self-destructive film layer comprises a dye migration preventative resin layer and a self-destructive layer, and the dye migration preventative resin layer is a resin layer containing a vinyl resin with a glass transition temperature of 70°C or more and an SP value of 9.0 or more as a main component, along with the corresponding method for manufacturing this particular security sticker and an original sheet of that security sticker (**Claims 1, 2, 4-10 and 20**);

b. the security sticker comprising a surface resin layer, a print layer, a self-destructive film layer, and a pressure-sensitive adhesive layer, wherein the self-destructive film layer comprises a dye migration preventative resin layer and a self-destructive layer, and the dye migration preventative resin layer is a biaxially stretched film that is stretched by 10% or more and the film having a

shrinkage ratio of 1.0% or less, along with the corresponding method for manufacturing this particular security sticker and an original sheet of that security sticker (**Claims 1, 4-7, 11-13 and 21**);

c. the security sticker comprising a surface resin layer, a print layer, a dye migration preventative resin layer, a pressure sensitive adhesive layer or an adhesive layer, a self-destructive film layer, and a pressure-sensitive adhesive layer, wherein the self-destructive film layer comprises a supporting layer and a self-destructive layer, and the supporting layer is disposed on one surface of the self-destructive layer, the print layer contains a low-molecular-weight compound, and the dye migration preventative resin layer is a resin layer containing a vinyl resin with a glass transition temperature of 70°C or more and an SP value of 9.0 or more as a main component, along with the corresponding method for manufacturing this particular security sticker and an original sheet of that security sticker (**Claims 3, 14-16, 22 and 24-26**); and

d. the security sticker comprising a surface resin layer, a print layer, a dye migration preventative resin layer, a pressure sensitive adhesive layer or an adhesive layer, a self-destructive film layer, and a pressure-sensitive adhesive layer, wherein the self-destructive film layer comprises a supporting layer and a self-destructive layer, and the supporting layer is disposed on one surface of the self-destructive layer, the print layer contains a low-molecular-weight compound, and the dye migration preventative resin layer is a biaxially stretched film that is stretched by 10% or more and the film having a shrinkage ratio of

1.0% or less, along with the corresponding method for manufacturing this particular security sticker and an original sheet of that security sticker (**Claims 3, 17-19, and 23-26**).

2. Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election. Currently, none of the claims are generic.

3. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

4. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: the species outlined above possess

different qualities and quantities of sublayers in the multilayer arrangement of the sticker, and the claimed characteristics of at least one of those sublayers differ in the respective species, such that the combinations of sublayers that are present and the nature of those sublayers are not shared by all of the claims of the present invention.

5. In light of the complexity of the restriction requirement for this application, no telephone communication regarding the election of species has been made. See MPEP §812.01.

6. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

7. The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

*Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Joy whose telephone number is (571) 272-9056. The examiner can normally be reached on Monday - Friday, 7:00 AM - 3:30 PM EST.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie E. Shosho can be reached on (571) 272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DJJ/

Examiner, Art Unit 1794

02/09/2009

/Callie E. Shosho/

Supervisory Patent Examiner, Art Unit 1794